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SHERIFF LAURIE SMITH and
6 COUNTY OF SANTA CLARA

7
8 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 (San Francisco)

10
11 TOM SCOCCA, MADISON SOCIETY, INC.,
and THE CALGUNS FOUNDATION, INC.,

12 Plaintiffs,

13 v.

14 SHERIFF LAURIE SMITH (In her individual
and official capacity.), COUNTY OF SANTA
15 CLARA, and DOES 1 to 20,

16 Defendants.
17

No. CV11-01318 EMC

**STIPULATION AND ORDER
CONTINUING NOVEMBER 13, 2014 CASE
MANAGEMENT CONFERENCE**

18 The parties, by and through their counsel of record, hereby stipulate as follows:

19 1. On January 14, 2013, the Court issued an order staying this case until the Ninth Circuit
20 rules on *Peruta v. County of San Diego*, Case No.: 10-56971 and *Richards v. Prieto (Yolo County)*,
21 Case No.: 11-16255. The Court previously continued case management conferences in this action
22 on the grounds that *Richards* and *Peruta* were still pending.

23 2. The Ninth Circuit has issued rulings in *Peruta* and *Richards*. In both cases, however,
24 there are pending requests for *en banc* review and a pending request for intervention by the
25 California Attorney General in *Peruta*. And on May 1, 2014, the Ninth Circuit issued an order in
26 *Richards* that deferred ruling on the petition for rehearing *en banc* pending the Court's resolution of
27 pending post-opinion matters in *Peruta*.

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3. The parties agree that the November 13, 2014 Case Management Conference should be continued while the Ninth Circuit considers *en banc* review in *Peruta* and *Richards*.

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

ORRY P. KORB
COUNTY COUNSEL

Dated: November 5, 2014

By: /S/
MELISSA R. KINIYALOCES
Deputy County Counsel

Attorneys for Defendants
SHERIFF LAURIE SMITH and
COUNTY OF SANTA CLARA

LAW OFFICES OF DONALD KILMER

Dated: November 5, 2014

By: /S/
DONALD E.J. KILMER, JR., ESQ.
Attorneys for Plaintiffs

ORDER

The November 13, 2014 Case Management Conference is continued to March 26, 2015 at 10:30 a.m. An updated joint CMC Statement due 3/19/15. Plaintiffs are directed to file notice with this Court within 5 court-days of the Ninth Circuit issuing its final disposition in *Peruta v. County of San Diego*, Case No.: 10-56971 and *Richards v. Prieto (Yolo County)*, Case No.: 11-16255.

EDWARD M. CHEN
United States District Judge

